**HIGH COURT OF UTTARANCHAL AT NAINITAL.**

Writ Petition No. 564(S/S)06;

Smt. Madhu Badola W/o Sri Vishwamohan Badola,
R/o village Patholgaon, Gram Panchayat Jajedi,
Block Pokhda, Distt. Paurti Garhwal. ---- Petitioner.

Vs.

1. State of Uttaranchal through Secretary Education,
   Uttaranchal, Dehradun,
2. Addl. Education Officer (Basic),
   District Project Office, Sarva Shiksha Abhiyan,
   Pauri Garhwal,
3. Block Education Officer, Pokhda, Pauri Garhwal,
4. Deputy Block Education Officer,
   Block Pokhda, Pauri Garhwal,
5. Gram Shiksha Samiti,
   Gram Panchayat Jajedi, Block Pokhda,
   District Pauri Garhwal, through
   Its Chairman/Pradhan Satendra Prasad Badola,
6. Head Master/Secretary,
   Primary School Jajedi, Gram Panchayat Jajedi,
   Block Pokhda, Distt. Pauri Garhwal. ----Respondents.

Sri Lokendra Dobhal, learned counsel for the petitioner,
Learned Standing Counsel for the State of Uttaranchal/respondent nos. 1,2,3,4 & 6.

**Hon'ble M.M. Ghildiyal, J.**

Heard Sri Lokendra Dobhal, learned counsel for the petitioner and learned Standing Counsel who has accepted notices for the respondent nos. 1,2,3,4 & 6.

By means of this writ petition, the petitioner has prayed for the following reliefs:-

i. Issue a writ, order of direction in the nature of mandamus commanding the respondent authorities to issue the appointment letter to the petitioner for his

appointment as “Shiksha Mitra” in Primary School, Jajedi, Gram Panchayat Jajedi, Block Pokhada, District Pauri Garhwal.

ii. Pass any other and further orders, which the Hon’ble Court may deem fit and proper in the facts and circumstances of the case.

iii. Award the cost of writ petition to the petitioner.

Submission of the learned counsel for the petitioner is that for the appointment on the post of “Shiksha Mitra” in Primary School, Jajedi, Gram Panchayat Jajedi, Block Pokhada, district Pauri Garhwal, a panel of three persons was prepared by the Gram Shiksha Samiti. The petitioner’s name finds place at Sl. No. 3 in the panel. The persons who was at serial no. 1 was since selected on the post of Assistant Teacher L.T. Grade, therefore he did not join as Shiksha Mitra in the Institution. Thereafter, the Gram Shiksha Samiti offered the post of Shiksha Mitra to the person who was placed at serial no. 2. Inspite of the repeated reminders, the person placed at serial no.2 also did not join the Institution. In the aforesaid circumstances, the petitioner who was placed in the panel at serial no. 3 approached the respondents to provide him appointment on the post of Shiksha Mitra, however, the respondent till dated have not issued any appointment letter. In this respect, the petitioner has already made representation on 04.04.2006 to Block Education Officer, Block Pokhada, district Pauri Gahrwal which is annexed as annexure no. 7 to the writ petition.

Learned counsel for the petitioner has submitted that since the persons who were placed at serial nos. 1 & 2 in the panel have not joined the post of Shiksha Mitra in the aforesaid Institution, he is entitled to be offered the post of Shiksha Mitra by the Gram Shiksha Samiti.

Counsel for the petitioner contended that since the Gram Shiksha Samiti has not taken any action on his representation, the respondent no.5 may be directed to take decision on the representation of the petitioner at the earliest.

In the circumstance aforesaid, I deem it fit and proper to direct the respondent nos. 3 & 5 to take decision on the representation of the petitioner dated 04.04.2006, annexure no. 7 to the writ petition within a period of two weeks from the date of production of a certified copy of this order.

With this direction, the writ petition is finally disposed of.

**(M.M. Ghildiyal, J.)**

**April 25,2006:**
NCM: